

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**MAJOR MIKE WEBB, d/b/a FRIENDS
FOR MIKE WEBB (C00591537), a/k/a
MAJOR MIKE WEBB FOR CONGRESS
(H8VA08167),**

Plaintiff,

v.

Civil Case No. 3:22cv47

FEDERAL ELECTION COMMISSION,

Defendants.

ORDER

On January 26, 2022, Plaintiff Michael D. Webb filed an application to proceed *in forma pauperis* and attached a verified Complaint. (ECF No. 1.) Webb is qualified to proceed *in forma pauperis*. Therefore, the Motion is provisionally GRANTED.

The Court has reviewed the proffered Complaint, which numbers forty-nine (49) pages and appears to allege that the Federal Election Commission improperly levied a fine against him during Webb's Congressional campaign. (*See, e.g.*, ECF No. 1-1, at 12.) Webb presents a smattering of allegations against the Federal Election Commission, including that it "[a]buse[d]" its discretion, that its decision was "[a]rbitrary and [c]apricious," and that the fine violated the Eight Amendment's Excessive Fines Clause. (ECF No. 1-1, at 12, 21–22.) The proffered Complaint offends Federal Rule of Civil Procedure 8, which requires a short and plain statement of the grounds for this Court's jurisdiction and Webb's claims for relief.

The Court hereby ORDERS that the Clerk shall provisionally file the proffered Complaint; and it is further ORDERED that, no later than September 19, 2022, Webb SHALL

file an Amended Complaint, with a Ghostwriting Form attached, which outlines in simple and straightforward terms why Webb thinks that he is entitled to relief and why the Court has jurisdiction over his case. *See* Fed. R. Civ. P. 8(a)(1) and (2).

The Amended Complaint SHALL COMPLY with the following directions:

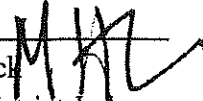
1. At the very top of the amended pleading, Webb must place the follow caption in all capital letters: "AMENDED COMPLAINT FOR CIVIL ACTION NUMBER: 3:22cv47."
2. The first paragraph of the particularized amended complaint must contain a list of defendant(s). Thereafter, in the body of the particularized amended complaint, Webb must set forth legibly, in separately numbered paragraphs a short statement of the facts giving rise to his claims for relief. Thereafter, in separately captioned sections, Webb must clearly identify each federal or state law allegedly violated. Under each section, Webb must list each defendant purportedly liable under that legal theory and explain why he believes each defendant is liable to him. Such explanation should reference the specific numbered factual paragraphs in the body of the particularized amended complaint that support that assertion.
3. Webb shall also include the relief he requests—what in the law is called a "prayer for relief."
4. The particularized amended complaint must stand or fall on its own accord. Webb may not reference statements in the prior complaint.
5. The particularized amended complaint must omit any unnecessary incorporation of factual allegations for particular claims and any claim against any defendant that is not well-grounded in the law and fact. *See Sewraz v. Guice*, No. 3:08cv035, 2008 WL 3926443, at *2 (E.D. Va. Aug. 26, 2008).

Webb is ADVISED that the failure to strictly comply with the Court's directives and with applicable rules will result in DISMISSAL OF THIS ACTION WITHOUT PREJUDICE for failure to prosecute. *See* Fed. R. Civ. P. 41(b).

Let the Clerk send a copy of this Order and necessary forms to Webb at his address
of record.

It is SO ORDERED.

Date: 8-19-2022
Richmond, Virginia

/s/ 
M. Hannah Lauch
United States District Judge